

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Veronica ROJAS-Hernandez

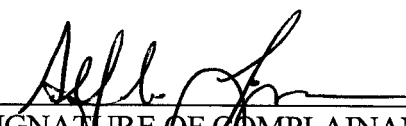
Defendant

Magistrate Case No. 1CJS
DEPUTYCOMPLAINT FOR VIOLATION OFTitle 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Aliens
Without Presentation

'08 MJ 2529

The undersigned complainant being duly sworn states:

On or about **August 14, 2008**, within the Southern District of California, defendant **Veronica ROJAS-Hernandez**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that alien, namely, **Laura VAZQUEZ-Avila**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).


 SIGNATURE OF COMPLAINANT
 Alfredo Loperena, Enforcement Officer
 U.S. Customs and Border Protection
Sworn to before me and subscribed in my presence, this 15th day of **August, 2008**.

 UNITED STATES MAGISTRATE JUDGE

CFM
8/15/08**PROBABLE CAUSE STATEMENT**

The complainant states that **Laura VAZQUEZ-Avila** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On Thursday, August 14, 2008, at about 12:20 a.m., **Veronica ROJAS-Hernandez (Defendant)** made application for admission into the United States at the Otay Mesa, California Port of Entry as the driver and sole visible occupant of 1993 Nissan Quest van. Upon inspection before a United States Customs and Border Protection (CBP) Officer, Defendant presented her California Drivers License and her expired United States Passport as proof of her citizenship. During primary questioning, Defendant stated she was in Mexico visiting her sister in-law who was experiencing a complicated pregnancy. During a vehicle inspection the CBP Officer noticed an unusual gap in the door lining on the drivers' side left quarter panel. The CBP Officer used his flashlight to emit light to the location and observed a white shirt and what appeared to be a human being through the vents and gap of the quarter panel. The CBP Officer requested assistance and took custody of Defendant. Defendant was escorted to a security office and the vehicle was driven to secondary for further inspection.

In secondary inspection, a CBP Officer discovered an adult female concealed within the driver's side quarter panel. The CBP Officer was required to remove the rear passenger seat in order to gain access to quarter panel. The CBP Officer removed the quarter panel liner and assisted the concealed female out of the compartment. The female was determined to be citizen of Mexico without legal documentation to enter the United States. The undocumented alien was retained as a material witness and is now identified as **Laura VAZQUEZ-Avila (Material Witness)**.

During a videotaped proceeding, Defendant was advised of her Miranda rights and elected to submit to questioning without benefit to counsel. Defendant admitted knowledge of the concealed alien. Defendant admitted she was to receive an undetermined amount of money to smuggle the undocumented alien into the United States. Defendant admitted she is not the legal owner of the vehicle. Defendant admitted she provided smugglers with her name and address and allowed to have the information listed on a counterfeit Department of Motor Vehicle (DMV) registration.

In a separate videotaped interview, material witness admitted she is a citizen of Mexico without legal documents to enter into United States. Material Witness admitted she made arrangements to be smuggled into the United States and was to pay a smuggling fee of \$3,000.00 (USD). Material Witness admitted she was unable to extricate herself out of the compartment. Material Witness admitted she was going to Los Angeles, California to reside and seek employment.